

[60 & 61 VICT.] *Local Government Board's* [Ch. cxliv.]
Provisional Order Confirmation (No. 17) Act, 1897.



CHAPTER cxliv.

An Act to confirm a Provisional Order of the Local A.D. 1897.
Government Board relating to the Borough of Hastings. —
[6th August 1897.]

WHEREAS the Local Government Board have made the
Provisional Order set forth in the schedule hereto under the
provisions of the Local Government Act 1888 :

51 & 52 Vict.
c. 41.

And whereas it is requisite that the said Order should be
confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty
by and with the advice and consent of the Lords Spiritual and
Temporal and Commons in this present Parliament assembled
and by the authority of the same as follows :—

1. The Order as altered and set out in the schedule hereto shall Order in
be and the same is hereby confirmed and all the provisions thereof schedule
shall have full validity and force. confirmed.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Order Confirmation (No. 17) Act 1897.

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S C H E D U L E.

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BOROUGH OF HASTINGS.

*Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act 1888.*

To the Mayor Aldermen and Burgesses of the Borough of Hastings ; —
To the Justices of the Peace for the said Borough ; —
To the Court of Quarter Sessions for the said Borough ; —
To the Justices of the Peace for the County of East Sussex in Quarter
Sessions assembled ; —
To the County Council of East Sussex ; —
To the Rural District Council of Hastings ; —
To the Rural District Council of Battle ; —
To the School Board for the United School District of Hastings ; —
To the School Board for the Parish of Ore ; —
To the School Board for the Parish of Hollington ; —
To the Guardians of the Poor of the Hastings Union ; —
To the Guardians of the Poor of the Battle Union ; —
To the Parish Councils of Fairlight Hollington Ore and Saint Matthew ; —
To the Overseers of the Poor of each of the Parishes of All Saints Black-
lands Fairlight Hollington Ore Saint Leonard and Saint Matthew ; —
And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act of 1888") the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division ;

And whereas the Borough of Hastings which is herein-after referred to as "the existing Borough" and the area whereof is coloured pink on the two maps (herein-after referred to as "the Borough maps") each marked "Map of the Borough of Hastings as extended 1897" and sealed with the official seal of the Local Government Board is a County Borough within the meaning of the Act of 1888 and the inhabitants of the Borough are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Hastings (herein-after referred to as "the Corporation") and act by the Council of the Borough which now consists of the Mayor (who is also an Alderman) five other Aldermen and eighteen Councillors and the existing Borough is for the purposes of the election of Councillors divided into six wards ;

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And whereas the existing Borough is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council are the Urban Sanitary Authority ;

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And whereas the existing Borough has a separate court of quarter sessions commission of the peace police force and coroner ;

And whereas the existing Borough includes the Parishes of All Saints Blacklands and Saint Leonard ;

And whereas the unrepealed provisions of the Local Acts mentioned in Part I. of the Schedule to this Order (herein-after referred to as "the scheduled Local Acts") and of the Confirmation Acts mentioned in Part II. of the said Schedule so far as the last-mentioned Acts relate to the Provisional Orders mentioned in that Schedule are in force in the existing Borough ;

And whereas the Corporation of the existing Borough have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act 1889 ;

(b.) The Infectious Disease (Prevention) Act 1890 ; and

(c.) The Public Health Acts Amendment Act 1890 ;

52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.
53 & 54 Vict.
c. 59.

and those provisions are accordingly in force in the existing Borough ;

And whereas the council of the existing Borough are under the Burial Acts 1852 to 1885 the Burial Board for the existing Borough ;

15 & 16 Vict.
c. 85.
48 & 49 Vict.
c. 21.

And whereas the Corporation acting as the municipal authority for the existing Borough have borrowed moneys for the execution of permanent works in the existing Borough of which the sum of twenty-three thousand five hundred and twenty-two pounds five shillings and one penny now remains unpaid and the repayment of that sum is charged upon and payable out of the borough fund and borough rates of the existing Borough ;

And whereas the Corporation acting as the Urban Sanitary Authority for the existing Borough have borrowed moneys for the execution of permanent works in the existing Borough of which the sum of two hundred and seventy-two thousand and seventy-two pounds seven shillings and twopence now remains unpaid and the repayment of that sum is charged upon and payable out of the district fund and general district rates of the existing Borough ;

And whereas the Parishes of Fairlight Ore and Saint Matthew are contributory places in the Rural District of Hastings (herein-after referred to as "the Hastings Rural District") and are subject to the jurisdiction of the Rural District Council of Hastings (herein-after referred to as "the Hastings Rural District Council") ;

And whereas the Hastings Rural District Council have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act 1889 ;

(b.) The Infectious Disease (Prevention) Act 1890 ; and

(c.) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts ;

and those provisions are accordingly in force in the Hastings Rural District ;

And whereas the Hastings Rural District Council have borrowed sums amounting in the whole to the sum of four thousand eight hundred and fifty pounds for the construction of permanent works in that part of the Parish of Ore

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And whereas the Hastings Rural District Council have borrowed sums amounting in the whole to the sum of twenty-one thousand seven hundred and nine pounds for the construction of permanent works in the part of the Parish of Saint Matthew by this Order included in the Borough of which the sum of twelve thousand six hundred and twenty-two pounds now remains unpaid ;

And whereas the Parish of Hollington is a contributory place in the Rural District of Battle (herein-after referred to as "the Battle Rural District") and is subject to the jurisdiction of the Rural District Council of Battle (herein-after referred to as "the Battle Rural District Council") ;

And whereas the Battle Rural District Council have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act 1889 ; and

(b.) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts ;

and those provisions are accordingly in force in the Battle Rural District ;

And whereas the Battle Rural District Council have borrowed sums amounting in the whole to the sum of four thousand six hundred pounds for the construction of permanent works in the part of the Parish of Hollington by this Order included in the Borough of which the sum of two thousand five hundred and thirty-three pounds now remains unpaid ;

33 & 34 Vict.
c. 75.
56 & 57 Vict.
c. 51.

And whereas by virtue of the Elementary Education Acts 1870 to 1893 a school board has been formed for the United School District comprising the existing Borough and the Parish of Saint Matthew (herein-after referred to as the existing Hastings School Board) a school board has been formed for the Parish of Ore a school board has been formed for the Parish of Hollington and the Parish of Fairlight is subject to the jurisdiction of the School Attendance Committee appointed by the Guardians of the Hastings Union (herein-after referred to as "the Union School Attendance Committee") ;

And whereas the Parishes of Ore and Fairlight are included in the Ore Electoral Division of the County of East Sussex the Parish of Hollington is included in the Hollington Electoral Division and the Parish of Saint Matthew is included in the Saint Leonards Electoral Division of that County ;

And whereas the said Parishes of All Saints Blacklands Fairlight Ore Saint Leonard and Saint Matthew are included in the Hastings Poor Law Union and the said Parish of Hollington is included in the Battle Poor Law Union ;

And whereas one Rural District Councillor is elected for the Parish of Fairlight three Rural District Councillors are elected for the Parish of Hollington two for the Parish of Ore and four for the Parish of Saint Matthew ;

And whereas each of the said Parishes of Fairlight Hollington Ore and Saint Matthew is a Rural Parish within the meaning of the Local Government Act 1894 (herein-after referred to as "the Act of 1894") and a Parish Council has been established for each of such Parishes :

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments in that behalf do hereby order that from and after the date of

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the Act of Parliament confirming this Order the following provisions shall take effect :--

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Art. I. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-seven (which date is herein-after referred to as "the commencement of this Order") :

Commence-
ment of Order.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county registers to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any election of the Mayor Aldermen and Councillors to be held on the ordinary day of election in the year one thousand eight hundred and ninety-seven this Order shall operate from the date of the Act of Parliament confirming this Order :

Date of
operation of
Order for
parish burgess
lists &c.
51 Vict. c. 10.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 the Borough shall be deemed not to have been extended until after the Thirty-first day of March One thousand eight hundred and ninety-eight.

Date of
operation for
grants from
Local Taxation
Account.
53 & 54 Vict.
c. 60.

Art. II. In this Order—

(1.) The expression "the Borough" means the Borough as extended by this Order ;

Definitions.

(2.) The expression "the added areas" means the part of the Battle Rural District and the parts of the Hastings Rural District added to the existing Borough by this Order ;

(3.) The expression "the local authorities of the added areas" means the Battle Rural District Council and the Hastings Rural District Council and the Parish Councils of Ore and Saint Matthew but only so far as those Parish Councils are the authority for executing the Lighting and Watching Act 1833 ;

3 & 4 Will. 4.
c. 90.

(4.) The expression "the County" means the County of East Sussex and "the County Council" means the County Council of that County.

Art. III.—(1.) The boundary of the existing Borough shall be altered and extended so as to include in addition to the area of the existing Borough the following areas viz.,—

Extension
of Borough

The part of the Battle Rural District which comprises the part of the Parish of Hollington coloured green on the Borough maps (herein-after referred to as "the added part of Hollington") ;

The part of the Hastings Rural District which comprises the part of the Parish of Fairlight coloured purple on the Borough maps (herein-after referred to as "the added part of Fairlight") ;

The part of the Hastings Rural District which comprises the part of the Parish of Ore coloured yellow on the Borough maps (herein-after referred to as "the added part of Ore") ; and

The part of the Hastings Rural District which comprises the part of the Parish of Saint Matthew coloured light brown dark brown and blue on the

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(2.) The boundary of the Borough as so altered shall be that shown by the red line on the Borough maps and the whole of the area within such altered boundary shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be the Borough and shall be the County Borough for the purposes of the Act of 1888.

Deposit of maps.

Art. IV.—(1.) One of the Borough maps and one of the ward maps referred to in Article VIII. of this Order shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order. Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Battle Rural District Council to the clerk to the Hastings Rural District Council and to the Board of Agriculture and a copy of the said ward map so certified shall be sent within the said date to the Board of Agriculture.

Copies of map to be evidence.

(2.) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as relates to the boundaries of the Borough and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Council of the Borough for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

Powers and duties of justices &c. extended.

Art. V.—(1.) The powers and duties of the quarter sessions recorder clerk of the peace and the coroner of the existing Borough of the justices of the peace appointed for the existing Borough and of the clerk to such justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough. Provided that every person committing an offence in any part of the added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

(2.) The added areas shall cease to be within the jurisdiction of the coroner for the Rape of Hastings.

Parish burgess lists &c.

Art. VI. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and all matters in relation thereto the added areas shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough and if any difficulty arise in making out revising or otherwise dealing with such lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors the Local Government Board may make such Order

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as shall appear to them to be necessary to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers. A.D. 1897.

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Art. VII. The number of Councillors of the Borough shall be increased from eighteen to thirty and the number of Aldermen of the Borough shall be increased from six to ten. Number of
Councillors
and Aldermen.

Art. VIII. Subject as regards any future alteration of the wards hereby constituted to the provisions of the Municipal Corporations Act 1882 and any Act amending the same as to the alteration of wards the following provisions shall have effect :— Division into
wards.

(1.) For the purposes of the election of Councillors the Borough shall be divided into ten wards to be termed respectively the All Saints Ward the Saint Clement's Ward the Saint Mary in the Castle (Upper) Ward the Saint Mary in the Castle (Lower) Ward the Holy Trinity Ward the Saint Mary Magdalen Ward the Saint Leonard's Ward the Saint Peter's Ward the Silverhill and Hollington Ward and the Saint Helen's Ward.

(2.) Each of the said wards shall comprise the portion of the Borough indicated by a separate colour and distinguished by the name of the ward on the two maps each marked " Map of the Wards of the Borough of Hastings as extended 1897 " and sealed with the official seal of the Local Government Board. Boundaries
of wards.

(3.) Three Councillors shall be assigned to each of the said wards.

Art. IX. For the purposes of the election of a town council for the Borough in pursuance of the Municipal Corporations Act 1882 in the month of November One thousand eight hundred and ninety-seven the following provisions shall apply :— Special pro-
visions for first
election of
Councillors
in 1897.

(a.) The town clerk and the Mayor of the existing Borough or such other persons as the Local Government Board shall appoint shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act 1882 and the Mayor of the existing Borough or such other person as he shall appoint shall be the returning officer at the election for each ward.

(b.) Thirty Councillors of the Borough shall be elected on the First day of November One thousand eight hundred and ninety-seven and ten Aldermen of the Borough shall be elected on the Ninth day of November One thousand eight hundred and ninety-seven.

(c.) Notwithstanding anything in the Municipal Corporations Act 1882 to the contrary all the Councillors of the existing Borough who shall be in office on the First day of November One thousand eight hundred and ninety-seven shall go out of office on that date and all the Aldermen of the existing Borough who shall be in office on the Eighth day of November One thousand eight hundred and ninety-seven shall go out of office on that date and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November One thousand eight hundred and ninety-seven.

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Retirement of
Councillors
and Aldermen
elected in 1897.

Art. X.—(1.) The Councillors elected for the Borough in the year one thousand eight hundred and ninety-seven in pursuance of this Order shall retire as follows :—

(a.) The Councillor for each ward who is elected by the smallest number of votes on the First day of November One thousand eight hundred and ninety-eight.

(b.) The Councillor for each ward who is elected by the largest number of votes on the First day of November One thousand nine hundred.

(c.) The other Councillor for each ward on the First day of November One thousand eight hundred and ninety-nine.

(2.) The Aldermen elected for the Borough in the year one thousand eight hundred and ninety-seven shall retire as follows :—

(a.) The five Aldermen elected by the smallest number of votes on the Ninth day of November One thousand nine hundred.

(b.) The other five Aldermen on the Ninth day of November One thousand nine hundred and three :

Provided that if for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates above specified the Council of the Borough shall on the Ninth day of November One thousand eight hundred and ninety-seven or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

Borough Acts
and Orders.

Art. XI.—(1.) Except so far as is herein expressly provided to the contrary the unrepealed provisions of the scheduled Local Acts and of the Confirmation Acts mentioned in the Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders mentioned in that Schedule and of any other Local Act affecting the existing Borough or the Corporation which may have already been passed or may be passed before the commencement of this Order and of any Provisional Order affecting the existing Borough which may be confirmed during the present Session of Parliament as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

(2.) The provisions of Sections 147 and 149 to 157 of the Hastings Paving Act 1832 shall not be in force within or apply to the added areas but shall remain in force in the area to which they now apply and the income received from the rate or duty on coal referred to in those sections shall be applied in relief of the general district rate or rates in the nature of general district rates levied upon the area of the existing Borough.

Byelaws &c.

Art. XII. All byelaws and regulations and any list of tolls and table of fees made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees may be altered or repealed and subject as aforesaid all byelaws and regulations made by the County Council or the Court of Quarter Sessions of the County or by

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either of the local authorities of the added areas shall on that date cease to be in force or have any effect in any part of the added areas but without prejudice to anything duly done thereunder. Provided that any proceedings which might have been taken by any of the local authorities of the added areas against any person for any offence against such last-mentioned byelaws and regulations committed before the commencement of this Order may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the local authority of the added area.

Art. XIII.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

Town clerk
and other
officers
continued.

(2.) The auditors who shall be in office at the commencement of this Order shall continue in office and shall be the Borough Auditors until the next ordinary day of election of Borough Auditors.

Borough
auditors.

Art. XIV.—(1.) Every officer and servant not by this Order otherwise specifically provided for who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in the case of any other such officer or servant out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required.

Compensation
to existing
officers.

(2.) Any such officer or servant whose salary shall be reduced on the ground that his duties have been diminished in consequence hereof shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Art. XV.—(1.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against any of the local authorities of the added areas in relation exclusively to any part of the added areas the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

Actions &c.
not to abate.

(2.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by any of the local authorities of the added areas in relation exclusively to any part of the added areas respectively shall be of as full force and effect against or in favour of the Corporation of the Borough and may be

Saving for
contracts &c.

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Corporation
property &c.

Art. XVI. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

Property &c. of
Rural District
Councils.

Art. XVII.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attach to any of the local authorities of the added areas in relation exclusively to any part of the added areas shall be transferred to vested in and attach to the Corporation as Urban Sanitary Authority and any property and liabilities vested in or attached to any of the local authorities of the added areas in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888.

Cesser of
jurisdiction
of local
authorities in
added areas.
Arrears of
rates &c.

(2.) The local authorities of the added areas shall cease to exercise any powers or have any duties within any part of the added areas.

(3.) All arrears of rates made by any Overseers for the purposes of the Public Health Acts the Highway Acts or the Lighting and Watching Act 1833 and which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied towards the discharge of any precept of the Battle Rural District Council the Hastings Rural District Council or the Parish Councils of Ore or Saint Matthew as the case may be which at that date shall be in force and not satisfied and the balances if any shall be paid to the Corporation.

Mortgage
debts of
Corporation.

Art. XVIII.—(1.) The repayment of the said sum of twenty-three thousand five hundred and twenty-two pounds five shillings and one penny or so much thereof as remains outstanding at the commencement of this Order and any other moneys borrowed before that date by the Corporation acting as a municipal authority and the payment of the interest on all such sums shall so far as such sums respectively are now charged upon and payable out of the borough fund and borough rates of the existing Borough be charged upon and payable out of the rates to be levied in pursuance of subdivision (3) of this Article.

(2.) The repayment of the said sum of two hundred and seventy-two thousand and seventy-two pounds seven shillings and twopence or so much thereof as remains outstanding at the commencement of this Order and any other moneys borrowed before that date by the Corporation acting as an Urban Sanitary Authority and the payment of interest on all such sums shall so far as such sums are now charged upon and payable out of the district fund and general district rate of the existing Borough be charged upon and payable out of the rates to be levied in pursuance of subdivision (4) of this Article.

(3.) The Corporation shall from time to time make such an addition to the borough rate to be levied in the area of the existing Borough as will be sufficient to raise the sums required to be raised by rates for the repayment of the several sums to which subdivision (1) of this Article applies and for the payment of the interest on such sums.

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(4.) The Corporation shall from time to time make and levy such rates in the nature of general district rates upon the area now comprising the existing Borough as will be sufficient to raise the sums required to be raised by rates for the repayment of the several sums to which subdivision (2) of this Article applies and for the payment of the interest on such sums.

Art. XIX.—(1.) The liability for repayment of the said sums of two thousand one hundred and twenty-eight pounds twelve thousand six hundred and twenty-two pounds and two thousand five hundred and thirty-three pounds or so much thereof as remains outstanding at the commencement of this Order and of any other sums borrowed before the commencement of this Order by the Hastings Rural District Council or the Battle Rural District Council for the construction of works in the added areas and of any moneys borrowed by the highway authority who were the predecessors of those Rural District Councils for the construction of works in the added areas and for the payment of interest on all such sums shall be transferred and attach to the Corporation and shall respectively be charged upon and payable out of the rates to be levied in pursuance of subdivision (2) of this Article.

Mortgage
debts of Rural
District
Councils in
respect of
added areas.

(2.) The Corporation shall from time to time make and levy such rates in the nature of general district rates upon the added part of Ore the added part of Saint Matthew and the added part of Hollington respectively as will be sufficient to raise the sums required to be raised by rates for the repayment of the said sums of two thousand one hundred and twenty-eight pounds twelve thousand six hundred and twenty-two pounds and two thousand five hundred and thirty-three pounds respectively or so much thereof as remains outstanding at the commencement of this Order and of any other sums borrowed by the said Rural District Councils or their predecessors before the commencement of this Order for the construction of permanent works in the said added parts respectively and for the payment of interest on such sums respectively.

Art. XX. The Corporation shall repay the several sums referred to in Articles XVIII. and XIX. of this Order within the respective periods if any for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Repayment
of loans.

Art. XXI. For the purposes of the Elementary Education Acts 1870 to 1893—

Alteration of
school
districts &c.

(a.) The Borough and the Parishes of Ore and Hollington Rural as constituted by this Order shall be united and form a United School District under the name of the Hastings United School District (herein-after referred to as "the United School District").

(b.) The School Board for the United School District shall be the successors in law of the existing Hastings School Board and of the School Boards for the existing Parishes of Hollington and Ore.

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- (c) The members of the existing Hastings School Board who shall be in office at the commencement of this Order shall be deemed to have been elected and shall be the School Board for the United School District (herein-after referred to as "the Hastings School Board").
- (d.) Any byelaws in force in the existing United School District at the commencement of this Order shall thenceforth apply to the United School District until revoked or altered.
- (e.) All the property and liabilities which immediately before the commencement of this Order are vested in and attached to the existing Hastings School Board and the School Boards for the Parishes of Hollington and Ore shall be transferred to and vested in and attached to the Hastings School Board and the outstanding mortgage debt of the existing Hastings School Board and the School Boards for the Parishes of Hollington and Ore and the interest thereon shall be charged upon the school fund and the local rate for the time being chargeable with the expenses of the Hastings School Board and shall be repaid by the Hastings School Board within the respective periods for which the loans in respect of which the said mortgage debts are respectively owing were originally sanctioned.
- (f.) The School Boards for the Parishes of Hollington and Ore shall be abolished and cease to exist and any byelaws made by either of those School Boards or by the Union School Attendance Committee shall cease to operate in any part of the added areas.
- (g.) The provisions of sub-section (13) of Section 118 and of Section 119 of the Act of 1888 shall apply to the persons who at the commencement of this Order hold office as officers or servants of the School Board for the Parish of Hollington or the School Board for the Parish of Ore with such modifications as are necessary to make those provisions applicable to the said officers and servants and to the Hastings School Board.
- (h.) Every officer or servant of the Union School Attendance Committee who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Hastings School Board for such pecuniary loss and in determining such compensation and the compensation payable to any officer or servant of the existing Hastings School Board or the School Board for the Parish of Hollington or the Parish of Ore who becomes entitled to compensation in pursuance of paragraph (g) of this subdivision regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the school fund and the local rate for the time being chargeable with the expenses of the Hastings School Board and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with the necessary modifications.

Saving for
audit of
accounts up to
appointed day.

Art. XXII. The accounts of the School Boards for the Parishes of Hollington and Ore and of the Parish Council of Saint Matthew and of the officers of all such authorities up to the commencement of this Order shall be audited in like

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manner and subject to the like incidents and consequences as if this Order had not been made :

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Provided that such audit may be held as soon as practicable after that date any statutory provision or regulation as to the time of holding the audit of the accounts of such authorities to the contrary notwithstanding :

*Hastings
Order.*

Provided also that any sum certified by the auditor which would have been required to be paid to the treasurer of any of the said School Boards shall be paid to the treasurer of the Hastings School Board and any sum certified by the auditor which would have been required to be paid to the treasurer of the Parish Council of Saint Matthew shall be paid to the treasurer of the Borough.

Art. XXIII.—(1.) At the commencement of this Order such members if any of the police force of the County as shall be determined by agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing Borough or in default of such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the Borough and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

County police.

(2.) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if such member had removed with the written sanction of the Chief Constable of the County.

53 & 54 Vict.
c. 45.

(3.) All the County police stations situate in any part of the added areas with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall be transferred to and vest in the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and such transfer shall be deemed to be made in consideration of the payment by the Corporation to the County Council out of the City fund of such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police
stations.

(4.) Every county coroner clerk to justices or other officer or servant of the County Council or of the Standing Joint Committee of the County who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of that section shall apply with the necessary modifications.

Compensation
to existing
county officers.

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A.D. 1897.

*Hastings
Order.*

Adjustment
of financial
relations
between
County and
County
Boroughs.

Art. XXIV. In any case where the extension of the Borough by this Order shall affect the distribution of the proceeds of the local taxation licences and the share of the estate duty and of the Local Taxation (Customs and Excise) duties between the Council of the County or the Borough or any other County Borough in the County or any financial relations or questions between the County and the Borough or any adjustment which shall have been made in regard to the said proceeds and financial relations or questions equitable adjustments between the areas interested may be made by the said Councils by agreement before the Thirtieth day of September One thousand eight hundred and ninety-eight and in default of such agreement by the Local Government Board and for the purposes of such adjustments the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board shall be substituted in such provisions for the Commissioners appointed under the Act of 1888:

Provided that in lieu of sub-section (6) of Section 61 of the Act of 1888 sub-sections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of such inquiries:

Provided also that sub-section (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Adoptive Acts.

Art. XXV. The provisions of the Infectious Disease (Notification) Act 1889 the Infectious Disease (Prevention) Act 1890 and the Public Health Acts Amendment Act 1890 shall be in force within and apply to the Borough as if the same had been adopted therein.

Council to be
Burial Board.

Art. XXVI.—(1.) The Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other authority all the powers rights duties and liabilities of a Burial Board under the Burial Acts 1852 to 1885.

(2.) Nothing in this Order contained shall prejudice or affect the rights of the inhabitants of the added part of Ore to burial in any burial ground provided for the existing Parish of Ore.

Electoral
Divisions and
County
Councillors.

Art. XXVII.—(1.) The Saint Leonards Electoral Division of the County shall be abolished and the County Councillor elected to represent that division shall go out of office at the commencement of this Order and his place shall not be filled up but the number of County Councillors of the County shall not be thereby diminished.

(2.) The number of Aldermen of the County shall subject to any future alteration resulting from an alteration in the number of County Councillors be unaltered.

(3.) The part of the Parish of Saint Matthew by this Order added to the Parish of Ore shall be included in the Ore Electoral Division of the County and the part of the Parish of Saint Matthew by this Order added to the Parish of Hollington Rural shall be included in the Hollington Electoral Division of the County.

(4.) The Hollington and Ore Electoral Divisions of the County as diminished by the extension of the County Borough and as altered by subdivision (3)

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of this Article shall continue to be electoral divisions of the County until altered under Section 54 of the Act of 1888 and the persons who immediately prior to the commencement of this Order are the County Councillors representing those divisions shall continue to represent them as if they had been originally elected to represent the division so diminished and altered.

A.D. 1897.

*Hastings
Order.*

(5.) No County Alderman or County Councillor in office immediately before the commencement of this Order shall be deemed to lose his qualification by reason of the transfer of any part of the County to the Borough by this Order.

Art. XXVIII.—(1.) (a.) The added part of Fairlight the added part of Hollington and the added part of Ore shall be separated from the Parishes to which they now respectively belong.

*Alteration of
Parishes.*

(b.) The added part of Fairlight shall be amalgamated with the Parish of All Saints the added part of Ore shall be amalgamated with the Parish of Blacklands and the added part of Hollington shall with the portion of the added part of Saint Matthew which is coloured dark brown on the Borough maps constitute a new Parish to be called the Parish of Hollington Saint John and the Parish of Blacklands as enlarged by this Order shall be called the Parish of Saint Helens.

(c.) The portion of the added part of Saint Matthew which is coloured light brown on the Borough maps shall cease to form part of that Parish and shall be amalgamated with the Parish of Saint Leonard the part of the Parish of Saint Matthew not hereby included in the Borough which lies to the north of the Borough shall cease to form part of that Parish and shall be amalgamated with the Parish of Ore and the part of the Parish of Saint Matthew not hereby included in the Borough which lies to the south-west of the Borough shall cease to form part of that Parish and shall be amalgamated with the Parish of Hollington which Parish as altered by this Order shall be called the Parish of Hollington Rural.

(2.) The Parish Councils of Fairlight Hollington and Ore shall continue and shall be deemed to have been elected for and shall be the Parish Councils for the Parishes of Fairlight Hollington Rural and Ore as altered or constituted by this Order and the said Parish Councils shall cease to exercise any powers or duties within any part of the added areas.

*Parish
Councils.*

(3.) The Parish Council of Saint Matthew shall be abolished and cease to exist and subject to the provisions of this Order the property and liabilities (if any) vested in or attaching to that Parish Council shall be a matter for adjustment under Section 62 of the Act of 1888 between the Overseers of the Parishes of Saint Matthew and Hollington Saint John and the Parish Councils of Ore and Hollington Rural.

(4.) The said new Parish of Hollington Saint John shall be included in and form part of the Battle Poor Law Union and all Orders in force in that Union shall be in force within and apply to the said new Parish.

Art. XXIX.—(1.) One of the two persons who at the commencement of this Order are Rural District Councillors representing the Parish of Ore on the Hastings Rural District Council (such person to be chosen by the Rural District Council by ballot at their meeting held next before the commencement of this Order) shall cease to act as a Rural District Councillor but shall continue to act as a member of the Board of Guardians of the Hastings Union and shall be

*Rural District
Councillors
and Guardians.*

A.D. 1897.

*Hastings
Order.*

deemed to be a Guardian elected for the Parish of Saint Helens as if he had been elected a Guardian for that Parish at the first election of Guardians under the Act of 1894 and as if the number of Guardians then elected for that Parish had been two instead of one and at all future elections the number of Guardians elected for the said Parish of Saint Helens and the number of Rural District Councillors elected for the Parish of Ore shall (unless or until the same shall be altered by a Joint Committee of the County Council and the Council of the Borough) be two and one respectively.

(2.) The other person who at the commencement of this Order is a Rural District Councillor representing the Parish of Ore shall continue to represent that Parish as altered by this Order on the Hastings Rural District Council.

(3.) The four persons who at the commencement of this Order are Rural District Councillors representing the Parish of Saint Matthew on the Hastings Rural District Council shall cease to act as Rural District Councillors but shall continue to act as members of the Board of Guardians of the Hastings Union and one of such four persons (to be chosen by the Board of Guardians of the Hastings Union by ballot at their meeting held next before the commencement of this Order) shall be deemed to be a Guardian elected for the Parish of Saint Leonard as if he had been elected a Guardian for that Parish at the first election of Guardians under the Act of 1894 and as if the number of Guardians then elected for that Parish had been three instead of two and the remaining three persons shall be deemed to be Guardians elected for the Parish of Saint Matthew as altered by this Order and shall continue to hold office as such until the day upon which they would have retired if this Order had not been made and at all future elections the number of Guardians elected for each of the Parishes of Saint Leonard and Saint Matthew shall (unless or until the same shall be altered as aforesaid) be three.

(4.) Two of the three persons who at the commencement of this Order are Rural District Councillors representing the Parish of Hollington on the Battle Rural District Council (such persons to be chosen by the Rural District Council by ballot at their meeting held next before the commencement of this Order) shall cease to act as Rural District Councillors but shall continue to act as members of the Board of Guardians of the Battle Union and shall be deemed to be Guardians elected for the new Parish of Hollington Saint John and shall continue in office until the day upon which they would have retired if this Order had not been made and at all future elections the number of Guardians elected for the Parish of Hollington Saint John and the number of Rural District Councillors elected for the Parish of Hollington Rural shall (unless and until the same shall be altered as aforesaid) be two and one respectively.

(5.) The other person who at the commencement of this Order is a Rural District Councillor representing the Parish of Hollington shall represent the Parish of Hollington Rural on the Battle Rural District Council.

(6.) The person who at the commencement of this Order is the Rural District Councillor representing the Parish of Fairlight shall continue to represent that Parish as diminished by this Order.

*Ecclesiastical
divisions and
charities.*

Art. XXX.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any Parish or shall prejudice vary or affect any right interest or jurisdiction

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in or over any charitable endowment which now is applicable for the benefit of any of the existing Parishes affected by this Order. A.D. 1897.

*Hastings
Order.*

(2.) Until new valuation lists are made—

Valuation
lists.

- (a) the portions of the valuation list of the Parish of Fairlight which relate to hereditaments in the added part of Fairlight shall be deemed to form part of the valuation list of the Parish of All Saints ;
- (b) the portion of the valuation list of the Parish of Ore which relates to hereditaments in the added part of Ore shall be deemed to form part of the valuation list of the Parish of Saint Helens ;
- (c) the portion of the valuation list of the Parish of Saint Matthew which relates to hereditaments in the parts of that Parish hereby added to the Parishes of Ore and Saint Leonard respectively shall be deemed to form parts of the valuation lists of those Parishes respectively ;
- (d) the portions of the valuation lists of the Parishes of Hollington and Saint Matthew which relate to hereditaments in the parts of those Parishes hereby constituted the Parish of Hollington Saint John shall be deemed to be the valuation list of that Parish ; and
- (e) the remainder of the valuation list of the Parish of Hollington shall with the portion of the valuation list of the Parish of Saint Matthew which relates to hereditaments in the area hereby included in the Parish of Hollington Rural shall be deemed to be the valuation list of that Parish.

(3.) For the purposes of the registers of persons entitled to vote at an election of members of Parliament of the register of parochial electors and of jury lists the Parishes affected by this Order shall be deemed to continue unaltered until the new lists and registers come into operation : Saving for
existing lists of
parliamentary
voters &c.

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of Parish Meetings in any Parish affected by this Order the County Council or the Council of the Borough as the case may be shall as soon as practicable after the commencement of this Order cause the registers of parochial electors to be altered in such manner as may be necessary to give effect to the alterations made by this Order.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing Parish affected by this Order shall be deemed to have acquired a settlement in the Parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one Parish such settlement shall be in the Parish comprising the place of residence of such person at the time of acquiring such settlement. Settlement of
paupers.

(b.) Any person who shall have acquired a status of irremovability from any existing Parish affected by this Order shall be deemed to have acquired a status of irremovability from the Parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the Parish comprising the area in which he was residing at the time of becoming chargeable. Irremovability
of paupers.

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A.D. 1897.

*Hastings
Order.*

Saving for
contribution
orders and
precepts.

(5.) Notwithstanding the alteration in the areas of Parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Hastings and Battle Unions and all precepts made by the Hastings and Battle Rural District Councils before the commencement of this Order shall be as valid in law as if this Order had not been made.

(6.).—(a.) The Overseers of the Poor of the Parish of Saint Matthew shall continue to act as the Overseers of that Parish as diminished by this Order and Overseers shall be appointed as soon as practicable for the said new Parish of Hollington Saint John and until such appointments are made the Overseers of the existing Parish of Hollington shall act as Overseers of such new Parish.

(b.) The future appointment of Overseers and Assistant Overseers for the Parish of Saint Matthew and the said new Parish of Hollington Saint John shall be made in like manner as if such Parishes had been included in an Urban District on the appointed day within the meaning of the Act of 1894.

Arrears of
rates.

(7.) All arrears of rates other than those mentioned in subdivision (3) of Article XVII. of this Order due at the commencement of this Order in the added areas other than the added part of Hollington shall be collected and recovered by the Overseers of the existing Parishes comprising those areas as if this Order had not been made and all arrears of rates due at that date in the added part of Hollington shall be collected and recovered by the Overseers for the time being of the Parish of Hollington Saint John.

Short title.

Art. XXXI. This Order may be cited as the Borough of Hastings (Extension) Order 1897.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
2 Will. IV. c. xci. - -	The Hastings Paving Act 1832.
48 & 49 Vict. c. cxvii. -	The Hastings Improvement Act 1885.

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PART II.—CONFIRMATION ACTS.

A.D. 1897.

Session and Chapter.	Short Title.	Order relating to Hastings thereby confirmed.	<i>Hastings Order.</i>
14 & 15 Vict. c. xcviii.	- The Public Health Supplemental Act 1851 (No. 2).	Order dated 20th March 1851.	
38 & 39 Vict. c. cxi.	- The Local Government Board's Provisional Orders Confirmation (Abingdon Barnsley &c.) Act 1875.	Order dated 14th June 1875.	
53 & 54 Vict. c. xcvi.	- The Electric Lighting Orders Confirmation (No. 10) Act 1890.	Hastings (Public Purposes) Electric Lighting Order 1890.	
54 & 55 Vict. c. cvii.	- The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1891.	Order dated 12th May 1891.	
56 & 57 Vict. c. cxxvii.	- The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1893.	Order dated 28th March 1893.	

Given under the Seal of Office of the Local Government Board this
Eleventh day of May One thousand eight hundred and ninety-
seven.

(L.S.)

HENRY CHAPLIN President.
HUGH OWEN Secretary.

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